

1. IN YOUR VIEW, WHAT CAN BE IMPLICATIONS OF MAKING GOVERNOR DEVOID OF HIS POWER TO RESERVE BILLS FOR PRESIDENTIAL ASSENT? CRITICALLY DISCUSS WHILE KEEPING IN FOCUS ARTICLE 200 OF THE CONSTITUTION.

Article 200 mentions about giving Assent to Bills at the state level by the Governor. When a Bill has been passed by the Legislative Assembly of a State or, in the case of a State having a Legislative Council, has been passed by both Houses of the Legislature of the State, it shall be presented to the Governor and the Governor shall declare either his assents to the Bill or withhold assent therefrom or return the bill for the reconsideration of the House or Houses or he may reserves the Bill for the consideration of the President.

The Supreme Court has stated that the Governor's power to reserve the Bill for the consideration of the President cannot be questioned in court. Therefore, the Governor may use his discretion by reserving the Bills for the consideration of the President.

The concern here arises with respect to reserving the bill for the president. The consequences are as under-

Enables the Union to exercise some kind of control over the legislative activities of the State.

Article 200 does not make clear that in which situations and circumstances the Governor may reserve the Bill for the consideration of the President. Therefore, it appears to be sort of a blank cheque to the Governor and he would exercise this power in his sole discretion.

It is also criticised that by reserving a Bill for the consideration of the President, some Governors have used this power to delay the implementation of legislations. What is happening in fact is that Governors generally act according to the instructions of the Cabinet at the Centre.



VANIK-IAS
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